

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application: Sabbah, et al.

Confirmation No.: 3424

Serial No.: 10/700,032

Group Art Unit: 1657

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Examiner: AFREMOVA, Vera

For: CARDIAC TRANSPLANTATION OF STEM CELLS FOR THE TREATMENT
OF HEART FAILURE

Attorney Docket No.: 1059.00096

CERTIFICATION STATEMENT

Dear Sir:

I, Kenneth I. Kohn, being duly sworn, do hereby state:

1. The attached Request for Continued Examination is being submitted solely to include documents listed on the attached Information Disclosure Statement, which were part of related PCT Application No. PCT/US02/29595, filed on September 18, 2002, and were forwarded to the United States Patent and Trademark Office by the International Searching Authority, mailed February 5, 2003.

2. The aforementioned documents were not included in the subject US Application, the USPTO was aware of them, and there was no intent to defraud the USPTO.

Respectfully submitted,

KOHN & ASSOCIATES, PLLC

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Customer No.: 48924

Dated: July 17, 2009

CERTIFICATE OF ELECTRONIC FILING VIA EFS-WEB

Date of Electronic Filing: July 17, 2009

I hereby certify that this correspondence is being electronically filed with the United States Patent & Trademark Office on the above date.

/Natalie Zemgulis/

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